

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA**

GARY MITCHELL,

Plaintiff,

v.

EQUIFAX INFORMATION  
SERVICES LLC,

Defendant.

Case No. 1:25-cv-00135-SCJ-CCB

**DEFENDANT EQUIFAX INFORMATION  
SERVICES LLC’S MOTION TO DISMISS PLAINTIFF’S  
COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(6)**

Defendant Equifax Information Services LLC (“Equifax”), by and through undersigned counsel, hereby moves to dismiss the Complaint filed by Plaintiff Gary Mitchell (“Plaintiff”) in its entirety for failure to state a claim upon which relief can be granted, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. In support thereof, Equifax submits herewith its Memorandum of Law in Support of its Motion to Dismiss for Failure to State a Claim, which contains arguments and citations of authority.

WHEREFORE, Equifax respectfully requests that its Motion be granted, Plaintiff’s claims against Equifax be dismissed, with prejudice, in their entirety, and for such other, and further, relief as the court deems just and proper.

DATED: June 17, 2025

Respectfully submitted,

SEYFARTH SHAW LLP

By: /s/ Eric Barton

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*Counsel for Defendant*

*Equifax Information Services LLC*

**CERTIFICATE OF COMPLIANCE**

Pursuant to Local Rule 7.1(D), I hereby certify on June 17, 2025, that the foregoing has been prepared in Time New Roman, 14-point font, and otherwise complies with the requirements of Local Rule 5.1.

*/s/ Eric F. Barton*

Eric F. Barton

*Counsel for Defendant*

*Equifax Information Services LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 17, 2025, I presented the foregoing DEFENDANT EQUIFAX INFORMATION SERVICES LLC'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT PURSUANT TO FED. R. CIV. P. 12(b)(6) with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record. A copy has also been sent via U.S. Mail to the following:

Gary Mitchell  
1647 Watersprings Way  
Dacula, GA 30019

/s/ Eric Barton

Eric Barton

*Counsel for Defendant*

*Equifax Information Services LLC*